

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
NICOLE STEWART, SHANNON
FITZGERALD, and SUMMER APICELLA,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

-against-

CASE NO.
1:21-cv-01217-MKV

NURTURE, INC.,

Defendant.

----- X
STEPHANIE SOTO, individually and on behalf of
all others similarly situated,

Plaintiff,

-against-

1:21-cv-01271-MKV

NURTURE, INC.,

Defendant.

----- X
NITA JAIN, individually and on behalf
of all others similarly situated,

Plaintiff,

-against-

1:21-cv-01473-MKV

NURTURE, INC. d/b/a Happy Family Brands

Defendant.

----- X

----- X
JODI SMITH, individually and on behalf
of all others similarly situated,

Plaintiff,

-against-

7:21-cv-01534

NURTURE, INC.

Defendant.

----- X
LILLIAN HAMPTON, KELLY MCKEON,
AND JEN MACLEOD, individually and on
behalf of all others similarly situated,

Plaintiffs,

-against-

1:21-cv-01882

NURTURE, INC., d/b/a Happy Family
Organics and Happy Baby Organics,

Defendant.

----- X

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the pleadings and other filings herein, and such other written or oral argument as may be permitted by the Court, Plaintiffs Nicole Stewart, Shannon Fitzgerald and Summer Apicella (“the *Stewart* Plaintiffs”), hereby move this Court, before the Honorable Mary Kay Vyskocil, United States District Court, Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 18C, New York, New York 10007-1312, pursuant to Fed. R. Civ. P.

42(a), for the entry of an Order consolidating the above-captioned actions and granting such other and further relief as the Court may deem just and proper.

Dated: March 7, 2021

Respectfully submitted,

/s/ Lori G. Feldman

Lori G. Feldman, Esq. (LF-3478)

GEORGE GESTEN MCDONALD, PLLC

102 Half Moon Bay Drive

Croton-on-Hudson, New York 10520

Phone: (561) 232-6002

Fax: (888) 421-4173

LFeldman@4-Justice.com

CALCATERRA POLLACK LLP

Janine L. Pollack, Esq.

1140 Avenue of the Americas

9th Floor

New York, New York 10036

Phone: (917) 899-1765

Fax: (332) 206-2073

Email: *jpollack@calcaterrapollack.com*

GEORGE GESTEN MCDONALD, PLLC

David J. George, Esq. (*pro hac vice* forthcoming)

9897 Lake Worth Road, Suite 302

Lake Worth, FL 33463

Phone: (561) 232-6002

Fax: (888) 421-4173

DGeorge@4-Justice.com

Attorneys for Plaintiffs Nicole Stewart, Shannon Fitzgerald and Summer Apicella and the Proposed Class in the Stewart Action

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 7, 2021, the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Lori G. Feldman
Lori G. Feldman